

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

SOUTHWEST METALS,  
INC., *et al.*,

Plaintiffs,

v.

CITY OF DETROIT, *et al.* ,

Defendants.

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Case No. 2:15-cv-11080  
District Judge Marianne O. Battani  
Magistrate Judge Anthony P. Patti

**ORDER GRANTING IN PART AND DENYING IN PART DEFENDANTS’  
MOTION TO COMPEL DISCOVERY (DE 35)**

Defendants filed the instant motion on July 28, 2016, asking the Court to compel Plaintiffs to provide complete responses to their first set of interrogatories and requests for production of documents. (DE 35.) Plaintiffs filed a response on August 11, 2016, asserting that the discovery at issue had been or would be provided. (DE 40.) Plaintiffs also pointed out that Defendants failed to seek concurrence prior to filing the motion, in violation of Eastern District of Michigan Local Rule 7.1. On August 26, 2016, Defendants filed an amended statement of unresolved issues indicating that Plaintiffs had provided documents that were likely responsive to the discovery requests. (DE 50.)

This matter came before me for a hearing on August 26, 2016, at which counsel for Plaintiffs, Nabih H. Ayad, and counsel for Defendants, Eric B. Gaabo, appeared. During the hearing, Mr. Gaabo represented that there remained only one outstanding discovery request to which Defendants were awaiting response. Specifically, interrogatory 2b sought the “name, title, address, and telephone number, all members, officers, shareholders and employees” of Southwest Metals from 2010 to the present. Mr. Gaabo indicated that Defendants were still awaiting a response as to the employees. Mr. Ayad informed the Court that the information could be provided to Plaintiffs as early as the following week.

Accordingly, Defendants’ motion is **GRANTED IN PART** to the extent that Plaintiffs are required to provide a response to interrogatory 2b as it relates to the employees of Southwest Metals from 2010 to the present, and **DENIED IN PART AS MOOT** as to the remainder of the motion. (DE 35.) Plaintiffs shall provide this information to Defendants **ON OR BEFORE AUGUST 2, 2016**. Additionally, the parties are reminded of their duty pursuant to E.D. Mich. LR 7.1 to seek concurrence prior to filing a motion and to certify in the motion that such concurrence was sought.

**IT IS SO ORDERED.**

Dated: August 26, 2016

s/Anthony P. Patti  
Anthony P. Patti  
UNITED STATES MAGISTRATE JUDGE